

Meeting of 2006-3-14 Regular Meeting

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
MARCH 14, 2006 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Mayor ProTem Randy Warren Also Present:
Presiding Larry Mitchell, City Manager
 Frank Jensen, Acting City Attorney
 Traci Hushbeck, City Clerk

Mayor Pro Tem Warren called the meeting to order at 6:00 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Pastor William Sprague, Cache Road Baptist Church, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT: Bill Shoemate, Ward One
Rex Givens, Ward Two
 Janice Drewry, Ward Three
 Keith Jackson, Ward Four
Robert Shanklin, Ward Five
Jeffrey Patton, Ward Six
 Stanley Haywood, Ward Seven

ABSENT: Mayor John P. Purcell, Jr.

PRESENTATION OF CITIZEN OF THE MONTH TO BARBARA BULLOCK.

Wyonna Alberty, Mayor s Commission on the Status of Women, presented the award for the Citizen of the Month for March 2006 to Barbara Bullock. Warren presented a Certificate of Congratulations from the State of Oklahoma, and a Certificate of Commendation from the Mayor s Office.

Ms. Bullock stated it is very important to meet people in the community and join organizations. Through meeting people she has met many lifelong friends. Through the outreach of the community to the hurricane victims, she believes those people will raise their children to appreciate the job of giving to others.

PRESENTATION OF PROCLAMATION FOR COLORECTAL CANCER AWARENESS MONTH

Warren proclaimed the month of March 2006 as Colorectal Cancer Awareness Month.

PRESENTATION OF PROCLAMATION FOR NATIONAL WOMEN S HISTORY MONTH

Warren proclaimed the month of March 2006 as National Women s History Month. He presented the proclamation to members of the Mayor s Commission on the Status of Women.

AUDIENCE PARTICIPATION:

Al Caldwell, 1420 NE Rogers Lane, asked the City Council to look at a more equitable equation for calculating trash containers for multi-family housing. He stated there is trash left in and by the dumpster at the apartment complex he owns. There are mattresses and couches left by the dumpster. In the past they have put these items in the dumpster or by the dumpster and they have been picked up. Now he is told they will not be picked up at all. This will create a problem. He stated for every 8 units they are allowed 2 cubic yards. The City Code calls for 70 gallons of trash for each resident. If that measurement is converted, 2 cubic yards per 8 units converts to about 43.39 gallons per unit. The multi family unit gets 38% less pick up for the same amount of money. Everyone pay \$11.17 a unit. He does not feel this is fair.

Shanklin stated the city allows 3,000 gallons per customer on water. Anyone else gets 2,000 gallons. He stated anything less than the 3,000 increments, they get a rebate.

Mr. Caldwell stated it is tough to stay below 3,000 gallons per month regardless of where you live or what you do. They do not get a major deduction.

Shanklin questioned if he paid for taking the excess trash out to the landfill.

Mr. Caldwell stated he did not know if his workers had to pay or not.

Shanklin stated that no one on the City Council would believe that would be fair to be charged to get rid of others trash.

Mr. Caldwell stated that apartments gather trash. Neighbors throw everything in those dumpsters.

Shanklin stated this is something they need to pay attention to and not forget.

Clarice Phillips, 3902 NW Denver Avenue, stated she would like to address school zone signs on 38th Street. She stated the police are very good about patrolling the area, but she felt it was not fair to the residents that there are so many different types of school zone signs. The issue needs to be addressed. She stated there is also a portion of the Harold Park sign which is down. She also requested that 40th Street be kept cleaner because it is now a major thoroughfare.

Warren stated staff would need to get with Lawton Public Schools to see where children will be picked up once the school is closed at the end of this year.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL MEETINGS OF FEBRUARY 28 AND MARCH 6, 2006.

MOVED by Givens, SECOND by Drewry, to approve the Minutes of February 28 and March 6, 2006. AYE: Givens, Drewry, Jackson, Shanklin, Haywood, Warren, Shoemate. NAY: None. ABSTAIN: Patton. MOTION CARRIED.

CONSENT AGENDA

Warren stated item #4 needs to be stricken from the agenda.

MOVED by Givens, SECOND by Patton, to strike item #4 and approve the remainder of the Consent Agenda items as recommended. AYE: Drewry, Jackson, Shanklin, Patton, Haywood, Warren, Shoemate, Givens. NAY: None. MOTION CARRIED.

1. Consider the following damage claims recommended for approval and consider passage of any resolution authorizing the City Attorney to file a friendly suit for the claim which is over \$400.00: Leland Terrell in the amount of \$60.00, Kristie & Steven Bolan in the amount of \$200.11. Exhibits: Legal Opinions/Recommendations.

2. Consider the following damage claims as recommended for denial: Hong L. Yooh and Sun Ho Yoon in the amount of \$50.00, Edwin Brammer in the amount of \$90.00, Southwestern Bell Telephone L.P. in the amount of \$191.52. Exhibits: Legal Opinions/Recommendations.

3. Consider adopting a resolution approving the settlement by a joint petition and making payment in the pending workers' compensation claim of Arguell Harris. Exhibits: **Resolution No. 2006-50.**

4. Consider adopting a resolution approving the settlement by a joint petition and making payment in the pending workers' compensation claim of Carlos Anguiano. Exhibits: Resolution No. 2006-__.

This item was stricken from the agenda.

5. Consider adopting a resolution approving the settlement by a joint petition and making payment in the pending workers' compensation claim of Craig Akard. Exhibits: **Resolution No. 2006-51.**

6. Consider authorizing litigation in the City's collection efforts to recover damages to a City vehicle caused by a vehicle operated by Robert Williams. Exhibits: None.

7. Consider approving the record plat for Brentwood Addition, Part 3B, and accepting the improvements, escrow agreement in lieu of completed improvements, maintenance bonds, and easements. Exhibits: Plat Map. Maintenance Bonds, Escrow Agreement, and Easements are on file in the City Clerk's Office.

8. Consider awarding (RFPCL06-023) cellular telephone services to Sprint Solutions, Incorporated (Sprint/Nextel) of Overland Park, Kansas.
9. Consider extending the contract (CL04-050) jail food and supplies with Wilson Wholesale Company of Lawton, Oklahoma. Exhibits: Department Recommendation, Contract Extension Form, Abstract of Bids.
10. Consider approving appointments to boards and commissions. Exhibits: None.
11. Consider approval of payroll for the periods of February 13-26, 2006. Exhibits: None.

BUSINESS ITEMS:

Warren stated item #17 needs to be stricken from the agenda.

12. Consider amending FY 2005-2006 budget. Exhibits: Resolution No. 06-___ and State Auditor General budget amendment forms.

Rick Endicott, Finance Director, stated with the increase in costs associated with fuel and electricity, staff knew there would be a good chance there would be a budget amendment. This amendment requests that expenditures be amended by \$1,098,000 and revenue \$130,000.

Patton stated he does not understand the increase in revenue of \$130,000 from the lease with Chesapeake Exploration.

Endicott stated at a previous meeting the City Council received \$130,000 on a lease agreement with Chesapeake Exploration. That revenue needed to be included in the budget amendment. The net amount is \$968,000. The question is where those funds will come from. He stated last month the City Council received a report on the external audit. Staff had projected at the beginning of 2005-2006 a beginning fund balance of \$4.2 million. The audited number was \$5.4 million. These funds would come from that amount and reduce the \$5.4 million by \$968,000.

Patton stated he can understand the increase in fuel costs, but he questioned the increase in chemical costs at the water treatment plant.

Endicott stated there has been a huge increase in the cost of chemicals.

Jackson stated the projected carry over for June 30, 2006 is projected to be \$1.1 million. He is having trouble finding the \$5.4 million.

Endicott stated in the budget summary, he is talking about the beginning balance. They are really referring to the audited number.

Jackson questioned if there will be an adjustment made on June 30th after this is all balanced out.

Mitchell stated the number we started out with, the \$4.2 million, was prior to approving the entire general operating budget. They are trying to project the year end at June 30, 2006.

Jackson stated he does not want to come up on June 30th with a couple million dollar imbalance.

Endicott stated once they get the audited number, that is a fixed number. Everything else is an estimate. They start with the \$5.4 million and now staff is going through the process to prepare for the next years budget trying to determine the revenues and expenditures for the rest of this year so they can estimate the beginning balance for next year. He stated it should be more than the ending balance.

Shanklin questioned when they started doing it this way. They always worried about the bottom line. He sees the \$1.1 million and now it is \$5.2. Who are they kidding?

Endicott stated they estimated they were going to start the year with \$4.2 million. Based on the audited numbers, that number is now \$5.4 million. Years ago the Council and management used to budget in vacancies, and now they do not budget that way. Staff does its best to estimate what that carry over will be.

Shanklin questioned if that number will be reflected in the audit report they received last week.

Endicott stated the 2006-2007 budget will reflect the \$5.4 audited carry over.

Mitchell stated the other reason for difference between the \$4.2 million and \$5.4 million is that when they do the budget, they are estimating every expenditure and every dime of revenue that they will have to start the year. When they receive the audit, they know what that actual number is. Part of that difference is under expenditures and money they did not expend and last minute revenues.

Shanklin stated they shouldn't be sitting up here quivering like a sick robin when they want to spend \$200,000 - \$300,000 because they are worried about getting below the \$400,000 - \$500,000 mark. He stated he has sat up there worried that they will not reach the projected revenue. He stated someone is not figuring very close.

Endicott stated Councilman Shanklin can come by the office and he will explain how they estimate those numbers. It is fairly close every year. When they talk about \$1 million, they know it is from saving from expenditures and saving from salaries.

Shanklin stated he just goes back to the Mayor and his IOU's. He has been giving IOU's for eight or ten years. Why did they even have to do that?

Warren stated they don't know what that final number will be because the final revenue won't roll in and the final expenditures don't roll in until September.

Jackson stated it is indicated in the preliminary budget that the projected carry over at June 30, 2006 is projected to be at \$1.1 million. The expected starting budget is now \$5.4 million, but the projected end of the year is projected to be \$1.1 million. How can we now start 2006 with \$5.4 million?

Warren stated the only change is the beginning number for 2005.

Endicott stated the beginning number for the current 2005-2006 year, the \$4.2 million, as a result of the audit is now \$5.4 million. He stated this is the same way they budget every year.

Warren stated to make everyone understand, they do not have an extra \$5 million. There is an extra \$1.4 million and they are getting ready to take \$900,000 from that number. They are basically going to be back where they were to begin with.

MOVED by Givens, SECOND by Drewry, to adopt **Resolution No. 06-52** increasing the Fiscal Year 2005-2006 budgeted revenue by \$130,000 and budgeted expenses by \$1,098,000. AYE: Jackson, Shanklin, Patton, Haywood, Warren, Shoemate, Givens, Drewry. NAY: None. MOTION CARRIED.

13. Hold a public hearing and consider approving Resolution No. 06-___ amending the D-6 Urban Renewal Plan including new project boundaries and permitted uses. Exhibits: Resolution No. 06-___ with D-6 Plan.

Richard Rogalski, Planning Director, stated the Lawton Urban Renewal Authority (LURA) and the City Council have adopted a Revitalization Plan for the Downtown Area of the City of Lawton, which encompassed three urban renewal project areas, Civic Center, Downtown I, and D-6. This Revitalization Plan set out strategies to encourage redevelopment including new land uses with particular emphasis on the reintroduction of residential living into the urban renewal project areas, the construction of streetscapes and the recommendation of new architectural standards. Based upon the goal of revitalization LURA requested that each of the urban renewal plans affected by the Revitalization Plan be amended to reflect these new redevelopment concepts.

On January 27, 2006 LURA held public hearings on the amendment of the three urban renewal plans including the new project boundaries and permitted land uses and approved these amendments. On February 23, 2006 CPC held a public hearing on this amendment. Five persons spoke during the public hearing on the D-6 Plan.

This public hearing is the final step in the formal amendment procedure. On February 26, 2006 a notice of public hearing was published in the *Lawton Constitution* and on February 27, 2006 a notice of public hearing was mailed to 458 property owners within the three project areas. Five public hearing notice boards were also posted in the project area.

Rogalski presented slides of the current and proposed boundaries. He stated as part of the revitalization plan staff looked at upgrading this urban renewal plan. There are two major changes. The first is boundary. The North side stays the same, however the west side is expanded from Second Street to Fourth Street. Second Street was identified as a major corridor for the area. LURA decided to expand the land uses and the improvements on both sides of Second Street. They are fairly broad uses. This is an urban/downtown area that accommodates both residential and commercial entities. A non conforming use is allowed to remain in its current size into perpetuity. They cannot expand the use, but can upgrade the building itself.

Haywood questioned how this would affect Ward 7.

Rogalski stated this is a boundary change and a land use plan. It will affect Ward 7 in that there is a new zoning overlay in that area. Single family and multi-family residential are allowed, so those would not be non conforming uses in that area.

Haywood questioned if residents would be able to expand in the mixed use area.

Rogalski stated yes, but there will be some architectural standards that will be written for that area.

PUBLIC HEARING OPENED

Jerry Bower, 3901 SE 165th Street, stated he owns a building downtown. He questioned who would determine those architectural standards.

Mitchell stated once the land use plan is adopted, the LURA will put together some architectural standards and the City Council will have to approve those standards before they are applied to any property. The public will have a chance to approve those standards before they are adopted.

Hubert Edison, 6207 SW Summit, stated he owns land in the D-6 mixed use area and also pastors a church in the commercial area. He stated there are some residential homes in the commercial area and he questioned what would happen to those homes.

Mitchell stated that is a private market decision. This is simply a land use plan. This sets the parameters on what can be developed within those areas.

Mr. Edison questioned between Arlington, Bell, Railroad and First Street, will they be able to build another church or build on to the existing church.

Rogalski stated in the Commercial Central District, a church is not a listed approved land use.

Mr. Edison stated he just wanted to be heard.

Michael Jefferson, 107 W. Gore, questioned if the City of Lawton plans on using eminent domain to develop this area.

Mitchell stated eminent domain is not being proposed and is not being planned. Any acquisition would be strictly a voluntary acquisition. The owner would be approached with an offer and if the owner does not accept, that would be the end of the story.

Mr. Jefferson stated that at the land use public hearing he attended the Commercial Central was called Regional Commercial. Is this the same thing?

Rogalski stated it is the same thing. Its intent is for a regional trade area.

Mr. Jefferson questioned if a funeral home was considered commercial.

Rogalski stated that currently a funeral home is not listed in either of the districts. He stated all the things a funeral home provides are allowed in the mixed use. In the Commercial Central district there are a limited number of uses and it states any other use which is similar in character to those enumerated above as determined by the Planning Commission provided the uses are not more obnoxious or detrimental to the area etc.. are allowed. A person wanting to build or expand a funeral home would need to make a point that it is a specialty retail.

Mr. Jefferson stated his property is half commercial and half mixed use. So does he have to come before the land use committee on one half and the other half he can do what he wants?

Rogalski stated the area was originally subdivided into thin lots. If a person owned a property that split lots, they would look at putting the property into one use or the other.

Mr. Jefferson questioned how he would go about putting his property into one use.

Mitchell stated that could be an amendment that would go through LURA.

Warren stated Mr. Jefferson will get to pick and choose which use he would like.

Rogalski stated the City Council does have the authority to make that determination.

Patton questioned if the property owner could just decide which use applies best to their business. Would it be better to look at these on a case by case basis.

Jackson stated he also feels this should be discussed when it is brought before the City Council with plans. He understood that Mr. Jefferson has an existing business, but he is considering expansion.

Patton questioned if that would cause Mr. Jefferson unnecessary expense if notice of publication is required as in a rezoning.

Rogalski stated it would be a semi-difficult process if this has to be done in the future.

Warren questioned if it is the desire of the City Council to amend this resolution and specify what use is designated to the lots owned by Mr. Jefferson. He questioned what use Mr. Jefferson would prefer.

Mr. Jefferson stated he would request to be placed in the mixed use designation. He stated his address would be 101-109 W. Gore and 102-106 W. Arlington.

James Stewart, 627 SW Sadalia Place, stated forty years ago there was \$500,000 placed in the bank for urban renewal for the old D-6 area. He questioned where that money was and will the old D-6 area get any of that money.

Mitchell stated the Lawton Urban Renewal Authority still has \$750,000 and are using that money to match ODOT funds for the 2nd Street improvement project. Hopefully there will be some money to make some other improvements along 2nd Street and in that area.

Mr. Stewart stated the old D-6 area ran along 1st Street. He questioned if that area will get any of that money.

Mitchell stated there are no development plans at this point. They are only talking about land use and changing urban renewal boundaries. This would be an issue for LURA to discuss.

Shanklin stated this is all in the future.

Gwendolyn Muntz, 505 NE Carver Avenue, stated she is concerned about eminent domain. Her family has lived in their home for over fifty years and her home is paid off.

Mitchell stated this plan addresses land acquisition. It says that properties not designated for acquisition may be acquired by the LURA. If the respective owner does not voluntarily comply with the provisions and controls contained in the plan, the power of eminent domain may not be used in this case when enforcement of the codes and ordinances of the City of Lawton and the laws of the State of Oklahoma may be adequately employed to achieve compliance and the requirements of this plan.

Ms. Muntz questioned if they were going to come in and tear their homes down.

Mitchell stated they cannot use eminent domain unless this plan is adopted or amended. That would require going back through the public hearing process.

Ms. Muntz stated she is all for the advancement of Lawton, but questioned why didn't anyone look at land on the outskirts of town.

Warren stated this plan prepares an area in case some entity wants to come in and build some type of development. At this point, the City of Lawton does not have the financial ability to do anything. This just lays a map so they can control what does happen.

Doris McNair, 2308 NW 34th Street, stated she has property on the corner of Ferris and Railroad. She questioned if her property will be affected.

Haywood stated that yes her property would be affected.

Warren stated it will not affect her property as it sits now. She still has the ability to live there. If someone wants to buy her property, they will only be able to place something on the property that equates to that zone.

PUBLIC HEARING CLOSED

MOVED by Givens, SECOND by Drewry, to adopt **Resolution No. 06-53** with the amendment that the property at 101-109 W. Gore and 102-106 W. Arlington be considered mixed use. AYE: Patton, Haywood, Shoemate, Givens, Drewry. NAY: Shanklin. ABSTAIN: Warren, Jackson. MOTION CARRIED.

14. Hold a public hearing and consider approving Resolution No. 06-__ amending the Civic Center Urban Renewal Plan including new project boundaries and permitted uses. Exhibits: Resolution No. 06-__ with Civic Center Plan.

Rogalski presented slides of the current and proposed boundaries. He stated that 6th Street was recognized as the major thoroughfare in the area and they wanted the land uses to cover both sides of 6th Street. This particular plan encompasses only two land uses, the public land use and the mixed use.

Shanklin stated it is C-5 right now. He questioned if this plan is adopted does the C-5 go right out the window?

Rogalski stated it would have the land uses described.

Warren stated it is C-5 from 7th Street to 11th Street.

Rogalski stated that area will stay the same.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Givens, SECOND by Patton, to adopt **Resolution No. 06-54** amending the Civic Center Urban Renewal Plan including new project boundaries and permitted uses. AYE: Patton, Haywood, Shoemate, Givens, Drewry, Jackson, Shanklin. NAY: None. ABSTAIN: Warren. MOTION CARRIED.

15. Hold a public hearing and consider approving Resolution No. __ amending the Downtown I Urban Renewal Plan including new project boundaries and permitted uses. Exhibits: Resolution No. 06-__ with Downtown I Plan.

Rogalski presented slides of the current and proposed boundaries. He stated they expanded the boundary to accommodate both sides of the 6th Street corridor. He reviewed the land uses.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

Drewry stated that City National Bank is identified as Office/Banking. She questioned why BancFirst is not identified.

Rogalski stated in the mixed use banking is an allowable use.

Debra Jones, Senior Planner, stated City National Bank is covered by a specific redevelopment contract that runs in perpetuity.

Shanklin stated there are some redevelopment contracts that can be changed.

Jones stated some are stricter than others. It depends on the redevelopment contract.

MOVED by Givens, SECOND by Shoemate, to adopt **Resolution No. 06-55** amending the Downtown I Urban Renewal Plan including new project boundaries and permitted uses. AYE: Drewry, Jackson, Shanklin, Patton, Haywood, Shoemate, Givens. NAY: None. ABSTAIN: Warren. MOTION CARRIED.

16. Consider approving Resolution No. 06-__ amending the 2025 Land Use Plan for the Civic Center Downtown I, and D-6 Urban Renewal Plans, as amended, incorporating these plans into the 2025 Land Use Plan by reference. Exhibits: Resolution No. 06-__.

MOVED by Givens, SECOND by Drewry, to adopt **Resolution No. 06-56** amending the 2025 Land Use Plan for the Civic Center, Downtown I, and D-6 Urban Renewal Plans, as amended, incorporating these plans into the 2025 Land Use Plan by reference. AYE: Shanklin, Patton, Haywood, Shoemate, Givens, Drewry. NAY: None. ABSTAIN: Jackson, Warren. MOTION CARRIED.

17. Consider amending Section 17-1-6-162, Lawton, City Code, 1995, to clarify holiday pay guidelines when the holiday falls outside the normal work schedule and to clarify who is entitled to holiday pay. Also, language was added establishing pro-rated flexible holiday payoffs when individuals leave city employment. Exhibits: Ordinance No. 06-__.

This item was stricken from the agenda.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

Shoemate stated he wished there would be some publicity to reach those residents who are leaving trash cans and garbage can racks alongside the road twenty four hours a day. He get numerous calls on this issue.

Mitchell stated they need to call Neighborhood Services and report the address.

Jackson stated a few weeks ago he requested support from the Lawton Police Department for school zone enforcement in front of Lawton High School. He has seen no action and requested support once again. He stated the Council requested an amendment of the budget to hire two additional positions, a plans reviewer and a planner. He questioned if those positions have been filled.

Mitchell stated the plans examiner has been hired. This additional position has been a tremendous help. He stated the single family building permits are issued in about 48 hours.

Jackson questioned if this will help with the major developments.

Mitchell stated they have made an offer for the senior planner position, but they were unable to hire the applicant. They will continue to keep looking to fill that position.

Shanklin questioned if both street sweepers were still running. He stated they need to look at the curbs and gutters especially on 4th and 6th Streets.

Mitchell stated he believed they both were running.

Patton stated the traffic lights are out of sync at the corner of 67th and Cache Road. He requested staff look at those lights.

Haywood questioned if there was an ordinance against an individual renting a house, but ten or twelve individuals end up living there and parking their cars on the street.

Jensen stated he would have to research that issue. He questioned the address.

Haywood stated it is at 519 NE Patterson. He stated the person renting the house lives in Meadowbrook.

Warren stated he has had several calls about the new trash containers. Residents are filling the cans so full that the lid cannot close. He requested something be put in the paper regarding this concern.

Patton stated he would encourage residents to donate to Goodwill or the homeless shelter if they have a couch or mattress that is in good condition. Most places will come and pick up the donation.

Mitchell distributed a letter he sent to Senator Randy Bass outlining a request for additional capital outlay expenses that we may experience as a result of people moving into the community in the next five years. He submitted the request for approximately \$40 million and hopefully the state legislators will help us fund some of these projects. He reminded the Council of a special workshop on March 21st at 6:00 p.m. to discuss water conservation issues and the upcoming budget year. He stated he would be out of the office on Friday.

The Mayor and Council convened in executive session at 7:42 p.m. and reconvened in regular, open session at 8:18 p.m. Roll call reflected all members present.

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

18. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending tort claim by Larry K. Standridge and take action in open session as necessary. Exhibits: None.

Jensen read the title of item 18 shown above. He said the Council did receive a briefing on the claim. No action is required.

19. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the consolidated law suit, in the Comanche County District Court, Comanche County Rural Water District No. 1, et al vs. City of Lawton and Lawton Water Authority, Case No. CJ-2003-928; and if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item 19 shown above. He said the City Council needs to appoint Council members to attend the settlement conference set for March 22 at 2:00 p.m.

MOVED by Drewry, SECOND by Patton, to appoint Jackson, Shoemate and Shanklin to attend the Settlement Conference scheduled for March 22, 2006 at 2:00 p.m. in District Court. AYE: Warren, Shoemate, Givens, Drewry, Jackson, Shanklin,

Patton, Haywood. NAY: None. MOTION CARRIED.

ADJOURNMENT

There being no further business to consider, the meeting adjourned at 8:20 p.m. upon motion, second and roll call vote.

RANDY WARREN, MAYOR PRO TEM

ATTEST:

TRACI HUSHBECK, CITY CLERK